

III. REMARKS

Claims 1-20 are pending in this action. By this Amendment, claim 17 has been amended. Reconsideration in view of the above amendment and the following remarks is respectfully requested.

In the Office Action, claims 17-20 are objected to because of insufficient antecedent basis issue or improper dependency. By this Amendment, claim 17 has been revised. Accordingly, Applicants respectfully request withdrawal of the objection.

In the Office Action, claims 2-7, 11-15 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in an independent form including all the limitations of the base claim and any intervening claims. Applicants gratefully appreciate this indication.

In the Office Action, claims 1, 8-10, 16 and 20 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Allen et al. (US 6,904,575), hereinafter "Allen," in view of Wang (US 6,374,395). Applicants respectfully traverse this rejection for the reasons that follow.

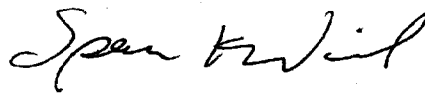
Applicants respectfully submit that Allen cannot be used as a prior art reference under 35 U.S.C. §103(a) to reject the claimed invention. Specifically, the Office admits that Allen constitutes prior art only under 35 U.S.C. 102(e). Furthermore, Applicants submit that Allen was owned by International Business Machines Corporation of Armonk, New York (IBM) at the time the claimed invention of the current Application (10,707,845) was made. In addition, the current Application was subject to an obligation of assignment to IBM at the same time. As such, the above-referenced 35 U.S.C. §103(a) rejections of claims 1, 8-10, 16 and 20 based on, *inter alia*, Allen are improper and should be

withdrawn. Accordingly, Applicants submit that claims 1, 8-10, 16 and 20 are allowable.

In view of the foregoing, the Office does not establish a *prima facie* case of obviousness and Applicants respectfully request withdrawal of the rejection.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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